

BOARD OF ZONING APPEALS

**Springfield, Ohio
Monday, July 19, 2021
7:00 P.M.
City Hall Forum**

**Meeting Minutes
(Summary format)**

Mr. Ryan called the meeting to order at 7:00 P.M.

MEMBERS PRESENT: Mr. Burkhardt, Ms. Zimmers, Mr. Brown and Mr. Ryan.

MEMBERS ABSENT: Mr. Harris, Ms. Williams and Ms. Gaier.

OTHERS PRESENT: Stephen Thompson, Planning, Zoning, and Code Administrator
Cheyenne Shuttleworth, Community Development Specialist.

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SUBJECT: Approval May and June meeting minutes.

Mr. Ryan asked if the Board had any corrections or additions to add to the minutes.

Hearing none, Mr. Ryan asked the Board members to voice yes if they were in favor of approving the minutes. Members voiced yes.

Mr. Ryan asked if any opposed to voice nay. Hearing none, Mr. Ryan stated the minutes stand approved.

Case #21-A-32 Request from Calibre Engineering for a conditional use permit to construct an automobile oriented use (tire shop) at 2202 N Bechtle Ave. in a CC-2A, Shopping Center District.

Mr. Ryan stated that the public hearing was now open and asked for Mr. Thompson to read the staff report.

The applicant seeks approval to amend an approved CC-2A shopping center district. When the original plan for this area was approved, it was designated to be a gas station. The development will have access to the Hobby Lobby lot to the north.

ANALYSIS for Conditional Use:

In considering an application for a conditional use, the Board shall give due regard to the nature and condition of all adjacent uses and structures, and the consistency therewith of the proposed use and development. Before authorizing a use as a conditional use, the Board shall review the facts and circumstances of each proposed conditional use in terms of the following standards and

shall find adequate evidence showing that the proposed conditional use at the proposed location:

- (1) Would not be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of noise, smoke, odor, vibration, dust and dirt, cinders, noxious gases, glare and heat, fire and safety hazards, sewage wastes and pollution, transportation and traffic, aesthetic and psychological effects. The Board shall use and give recognition to those performance standards which are available in model codes or ordinances, or have been developed by planning, manufacturing, health, architectural and engineering organizations, and can be applied to the proposed use, to assist it in reaching a fair and objective decision;

Staff Comment: No.

- (2) Is in fact a conditional use as established under the provisions of this Springfield Zoning Code as eligible to be permitted in the district involved;

Staff Comment: Yes.

- (3) Will be harmonious with and in accordance with the general objectives, or with any specific objective of this Springfield Zoning Code;

Staff Comment: Yes.

- (4) Will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area;

Staff Comment: Yes.

- (5) Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;

Staff Comment: Yes.

- (6) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

Staff Comment: It will not.

- (7) Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. Upon authorizing a conditional use, the Board shall impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Springfield Zoning Code for the particular conditional use, as the Board may deem

necessary for the protection of adjacent properties and the public interest.

Staff Comment: Yes.

RETURNED REPORTS FROM STAFF:

Service/Engineering Department:	Recommend approval; developer must provide access to the Walmart parking lot before a building permit will be issued.
Building Inspections:	Recommend approval; all building comments will be addressed during the permit process.
Police Division:	Recommend approval
Fire Department:	Recommend approval
City Manager's Office:	Recommend denial; shall be detrimental to traffic flow and control.

STAFF RECOMMENDATION:

Approval of the conditional use permit.

Mr. Brown asked what department recommended denial.

Mr. Thompson explained the city manager's office recommended denial. Mr. Thompson explained even though the site was always planned for auto motive use, it was supposed to be a gas station originally. Mr. Thompson explained that staff felt the tire center would generate less traffic.

Mr. Burkhardt asked if there were any other plans to add a right of way through to Kohl's.

Mr. Thompson explained he didn't plan that was part of any of the plans that were actually approved. Mr. Thompson explained as traffic increases on Bechtle, the city would be pushing for a right of way similar to a service road. Mr. Thompson explained staff was working in that direction.

Mr. Burkhardt asked if he believed it would actually happen.

Mr. Thompson explained as traffic increases, he felt it would eventually happen. Especially for fire safety.

Mr. Burkhardt expressed that he felt it was definitely needed and would help him make a decision on the case. The traffic issue is a big concern.

Ms. Zimmers asked if there would be another site they would consider if the case was denied.

Mr. Thompson stated he was unsure and explained there weren't too many more lots left on Bechtle.

Mr. Burkhardt explained he had heard there were developers looking at the other lots.

Ms. Zimmers asked if there were complaints from neighbors.

Mr. Thompson stated there were no complaints and there were no complaints or neighbors showing up at the City Plan Board.

Ms. Zimmers asked if the access road between Hobby Lobby and Home Depot were maintained by the city.

Mr. Thompson explained they were not maintained by the city, they were maintained by the businesses. Mr. Thompson explained the property owner would be responsible to maintain the access road up to the public road.

Mr. Ryan asked if there was anyone else that wished to speak. Hearing none, Mr. Ryan asked for a motion to close the public hearing.

MOTION: Mr. Brown made a motion to close the public hearing. Seconded by Mr. Harris.
Approval by voice vote.

Mr. Ryan stated that the public hearing was now closed and asked for a motion to approve Case #21-A-32.

MOTION: Motion by Mr. Brown to approve Case #21-A-32 request from Calibre Engineering for a conditional use permit to construct an automobile oriented use (tire shop) at 2202 N Bechtle Ave. in a CC-2A, Shopping Center District. Seconded by Ms. Zimmers.

Hearing no further discussion or questions, the Board determined the following findings of facts:

1. No Opposition.
2. Property planned for automotive use.
3. Concerns about high traffic area.

YEAS: Mr. Ryan and Mr. Brown

NAYS: Mr. Burkhardt and Ms. Zimmers

Motion failed 2 to 2.

Board Comments: None.

Staff Comments: None.

Subject: Adjournment

Mr. Brown made a motion to adjourn the meeting. Seconded by Mr. Burkhardt.

Mr. Ryan adjourned the meeting at 7:20 p.m.



Ms. Dori Gaier, Chairperson

Ms. Denise Williams, Vice-Chairperson